

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**E*TRADE SAVINGS BANK and)
E*TRADE MORTGAGE CORPORATION)
vs.)
Plaintiffs,)
vs.) Civil Action No. 07 CIV 8065
NATIONAL SETTLEMENT AGENCY,)
INC.; FAST TRACK TITLE AGENCY)
LLC; STEVEN M. LEFF; RACHEL M.)
LEFF; and RICHARD A. LEFF,)
vs.)
Defendants.)
NOTICE OF MOTION TO
DISMISS COMPLAINT
Return Date: December 3, 2007**

PLEASE TAKE NOTICE that on December 3, 2007, or as soon thereafter as counsel may be heard, defendant FAST TRACK TITLE AGENCY LLC, by and through its undersigned attorneys, will move, before the Hon. Laura Taylor Swain, at the United States Courthouse, United States District Court for the District of New York, 500 Pearl Street, New York, New York for an Order dismissing the entire Complaint, per Rule 12(b)(6) of the Federal Rules of Civil Procedure because the Complaint fails to state a claim upon which relief can be granted and for such other and further relief as this Court deems just and appropriate.

In support of the within motion, defendant will rely upon Memorandum of Law.

Dated: New York, New York
November 9, 2007



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